

Board of Directors Meeting  
March 18, 2016  
Pierre, SD  
**MINUTES**

Present: Jim Carlon, Sherwood Schrenk, Darrel Kessler, Steve Blair, Jill Schoen, Lynell Rice Brinkworth, Roswitha Konz, Mary Guth, Sherry Bartels, and Joyce Vos  
Present for General Session: Justin Pierson, DSS

The meeting was called to order at 8:33am. Three items were added to the General Agenda, such as the proposed findings on the Robin Rossow licensing hearing, the RFP process, and information on a fraudulent network provider. M/S/P Schoen/Schrenk to approve the amended Agenda.

M/S/P Schrenk/Rice Brinkworth to move into Executive Session at 8:36am pursuant to SDCL 1-25-2(3) and 19-13-3.

M/S/P Kessler/Rice Brinkworth to move into General Session at 11:07am.

1. M/S/P Rice Brinkworth/Konz to transfer Case #2015-04 to the Office of Hearing Examiners.

M/S/P Schrenk/Schoen to have Carlon refer the unlicensed practice of Carolyn Forester Chemel to the Pennington County States Attorney's office.

2.a. M/S/P Schrenk/Rice Brinkworth to approve the amended Nov 20, 2015 Board Minutes with the addition/correction of Schoen's recusal from the Rossow licensing hearing.

b. M/S/P Schoen/Konz to approve the Nov 20, 2015 Rules Hearing Minutes as presented.

c. M/S/P Schrenk/Bartels to adopt the proposed Findings of Fact, Conclusions of Law, and Order denying the LPC-MH application of Robin Rossow.

d. Guth stated the Board's RFP deadline for submission is March 21 and April 4 is the award decision date. Braithwaite and Rice Brinkworth will be on the review committee with Guth.

7. Portability remains a priority topic with this Board and nationally. Per Carlon, any specific portability language that matches what is suggested nationally will require Statutory changes. There are three examples being promoted nationally at this time. The Board may need to schedule a separate work session to address this topic. This topic is a

primary reason for Board members to attend national industry conferences.

3. The Board discussed Mathew Bergendahl's request to seek SD LPC supervision from a Missouri LPC while both residing in California. The issues of jurisdiction and residency requirements were addressed. Staff was directed to approve the Plan but state this does not indicate he will be issued a license unless he meets the residency requirements; and that he has the option of seeking a CA license then applying for the SD LPC by Reciprocity.

4. M/S/P Schrenk/Bartels to deny Kelsey Foote's request to extend her LMFT supervision past the 3 year limitation as allowed in ARSD 20:71:05:04. And directed Staff to inform her she can start her 3 year limit from her 2014 dated Plan with her second supervisor.

5.a. Carlon explained that the change in ARSD 20:73:01:03 means that a qualified applicant for the LPC-MH by Reciprocity still must submit a completed LPC by Reciprocity application, pay the application fee, and be deemed qualified before being eligible for the LPC-MH by Reciprocity. They do not have to pay the LPC license fee or be issued a license. The Reviewer's letter stating the qualified LPC status will suffice.

b. The Board approved the Application for Supervisor Status drafted by Staff. It was determined that the licensee only needed to provide proof of liability insurance at the time of application.

c. The revised Tracking Form was accepted as presented.

d. The Board was informed of the presentations Guth and Staff were making at the West River and SD Counseling Association conferences, primarily about the approved Rule changes that will be implemented on July 1, 2016.

e. Staff reported she will be creating a newsletter about these changes with a mailing date in April or May.

6. Kurt Turbak appeared before the Board to discuss his CE compliance. He was directed to complete the 30-Day Post-Approval Application, submit the fee, and the Board would consider it at a later meeting.

8. Schrenk provided a written summary of topics from the AASCB annual conference. Rice Brinkworth reported on her attendance. Portability and distance counseling are ongoing key topics nationally and for this Board to consider. It was again emphasized that as many board members as possible should attend this conference for the value it always offers.

9. Staff explained how the proposed legislation got tabled for 2016.

10. Guth suggested board members submit licensed candidate names to the office to

fill her vacancy after October 2016. Pierson (DSS) was going to check their records to confirm that Schoen is eligible until Oct 2019 not 2016.

11.a – d were offered as informational. Staff noted that she's still investigating why the Rules notice was published in the RC Journal 3 times, and why the Argus was paid from an invoice by DSS and the board office.

12. June 17 and Sept 16 were scheduled for the next two meetings. It is thought that there could be a complaint hearing and two licensing hearings at the next meeting.

M/S/P Konz/Rice Brinkworth to adjourn the meeting at 2:51pm

Respectfully submitted,

*Joyce M. Vos*

Executive Secretary